Secrt. II-37—100,000—22-5-48.

HOME (195 1948) Department

MS. SERIES.

G.O.No. 4588

Dated 13th December 1948

[Despatch Abstract.]

PASSPORT - Travel to Ceylon - Instructions from the Government of India.

No.F.11-2/48-OS.V.
GOVERNMENT OF INDIA.
Ministry of External Affairs
and Commonwealth Relations.

New Delhi, the 15th October, 1948.

From

A.S.Mehta, Esqr., I.F.S.,
Under Secretary to the Government of India.

To

The Chief Secretary to the Government of Madras,
Public Works Department,
Fort St. George, Madras.

Amendment to the Ceylon Passport Regulations,
Publicity to.

Sir,

I am directed to refer to the correspondence resting with Mr.Vijayaraghavan's (then Secretary, Public Works Department, Government of Madras) demi-official letter No.2329-A/43-4, dated the 9th October, 1943, regarding illicit emigration to Ceylon and to forward herewith

1.Letter No.EA/I/36,dated the 30th July, 1948,(togetherwith enclosures)from the Ministry of Defence and External Affairs, Ceylon.	copies of the correspondence noted in the margin.
2.Letter No.J45/48,dated 16th Aug, 1948, from the High Commissioner for India in Ceylon.	
3.Letter No.EA/I/36,dated the 29th Sep., 1948, from the Ministry of Defence and External Affairs, Ceylon.	

2. Pending the enforcement of recently enacted Immigrants and Emigrants Act the Government of Ceylon have amended the existing Passport Regulations with effect from 1st October, 1948, with a view to preventing illicit-immigration into Ceylon. This new amendment arms that Government with powers to order repatriation of illicit immigrants. As it is desirable that such illicit emigration should be stopped the Government of India consider that wide publicity should be given to the new amendment and its consequences especially in the three districts of Ramnad, Tanjore and Tinnevelly as recommended by the High Commissioner in Ceylon.

3. I am, therefore, to request that immediate steps may kindly be taken, under advice to this Ministry, by the Provincial Government to give the necessary publicity to the new amendment to the Ceylon Passport Regulations.

Yours faithfully,

Sd/- A.S. Mehta.
Under Secretary.

Copy of letter No. EA/1/36.dt. 30.7.48, from the Ministry of Defence and External Affairs,Ceylon,Colombo, to the Secy. to the Ministry of E.A.& C.R.. Govt of India New Delhi.

I have the honour to send herewith a memorandum on a proposed amendment to the Ceylon Passport Regulations. A copy of the new regulation proposed is also enclosed for the information of your Government.

2. Permanent residents of India, who are travelling to Ceylon from India, will, as hitherto, not be required to be in possession of passports. The revised regulation, however, states specifically that the concession extends only to such persons as enter Ceylon through one of the Customs ports. This requirement does not impose any new restriction on Indians travelling to Ceylon, but its absence has in the past led to the extensive landing of illicit entrants, chiefly along the North and North West coast of Ceylon.

3. In this connection, your reference is requested to the demi-official correspondence on " illicit immigration " which passed between the Representative of the Ceylon Government and the Secretary of the Overseas Department, New Delhi, in 1943. An Order made by His Excellency the Governor under the Defence (Miscellaneous) Regulations in that year imposed very heavy penalties on persons landing at unauthorised places. This Order, however, has since been revoked with other War measures, and "smuggling" of immigrants has been resumed on a large scale.

4. The new regulation is intended to remedy temporarily this defect in the present law-, and to make such illicit entry an offence under the Passports Ordinance. It will now be possible to make a "Removal Order under this Ordinance for the repatriation of an offender. It is considered that, pending the enactment of the proposed Bill to control immigration, the above is the only satisfactory solution for a state of affairs which is undesirable from the point of view of both India and Ceylon.

5. I trust you will give the new regulation such publicity as you think necessary, especially in those areas of South India from which these immigrants are known to sail. I shall inform you early of the date from which it will be enforced.

Copy of this letter is being sent to the High Commissioner for India in Ceylon.

No.EA/1/36.

MEMORANDUM.

The Ceylon Passport Regulations published in the Ceylon Government, Gazette No.8,472 of the August 11,1939, exempt, among others the following Classes of persons from the obligation to possess a valid passport on entering Ceylon:-

(a) a permanent resident of Ceylon, India or Burma being a British subject or a British protected person, travelling between India, Burma and Ceylon; and

(b) an Asiatic resident of Ceylon, India or Burma, being a British subject or a British protected person, travelling between the Federated Malaya States or the Straits Settlements and Ceylon.

2. Burma nationals are no longer British subjects and have therefore ceased to be entitled to the exmption under the regulations. British subjects and British protected persons travelling to Burma require Burma visas which are granted on valid passports.

3. The Passport Regulations, 1947, of the Colony of Singapore require that all persons entering the Colony from any place outside Malaya should be in possession of a valid passport or other recognized travel document. The Passport (Settlement of Penang)

P.T.O. Cont.

(~~Settlement of Penang~~) Regulations,1948, also require that all persons entering the Settlement from any place outside Malaya should be in possession of a valid passport or other recognized travel document. In addition, entry into the Malayan Federation is restricted and persons who wish to proceed to that Federation are required to be in possession of entry permits which are issued in the form of travel documents containing photograph of the applicant.

4. The concession extended to certain residents of Burma, Malayan Federation and Singapore is therefore being withdrawn as reciprocity of this concession no longer exists for Ceylonese travelling to these countries. Such persons who seek to enter ceylon from these countries and residents of Ceylon who are proceeding to these countries, will, in future, be required to be in possession of valid travel documents.

5. The concession to residents of India and pakistan will be continued till the proposed Bills for the definition of "Citizen of Ceylon" and the control of immigration are enact In this instance, however, the wording of the regulation is being altered to make its intention clearer. While it is not intended to require passports of residents of India and Pakistan who enter Ceylon this concession is made conditional on the entry through an "authorized port".

L.D.-B.28/32.

The Passport Ordinance.

Regulation made by the Minister of Defence and External Affairs and virtue of the powers vested in him by section 3 of the Passports Ordinance (Chapter 250) as modified by the Proclamation published in Gazette Extraordinary No.9,773 of September 24,1947.

Sd.....
Permanent Secretary,
Ministry of Defence & External Affairs.

Colombo, 27th July, 1948

Regulation.

The Ceylon Passport Regulations, 1939 published in Gazette No.8,472 of August, 11, 1939 as amended by any subsequent regulations, are hereby further amended in regulation 2 thereof, as follows:-

(1) by the substitution, for paragraph (c) of that regulation, of the following new paragraph: "(c) A permanent resident of Ceylon, India or Pakistan, being a British subject or a British protected person, travelling to India or Pakistan from Ceylon, or arriving at any place in Ceylon appointed to be a port under section 109 of the Customs Ordinance (Chapter 185) in the course of a journey from India or Pakistan to Ceylon" and

(2) by the omission of paragraph (d) of that regulation.

Copy of letter No.J.45/48, dated 16-8-48, from the Secy. to the High Commissioner for India in Ceylon, to the Secy to the Government of India Ministry of E.A.& C.R., New Delhi.

I am directed to refer to Mr. Mehta's letter No.F.11-2/48-OS.V., dated 6th August, 1948, regarding proposed amendments to Ceylon Passport Regulations. As mentioned by the Permanent Secretary to the Ministry of Defence and External Affairs, Ceylon, the main object of the proposed amendment is to prevent illicit immigration to Ceylon.

2. There has been of late some illicit immigration from Tanjore, Ramnad and ~~Tennele~~ Tinnevelly Districts of the Madras Province to Ceylon. The illicit immigrants travel in country craft and are landed at night on the Ceylon coasts. When these are detected they are arrested for breach of quarantine regulations and are sentenced to short terms of imprisonment. On the expiry of the period of imprisonment these immigrants are free to stay on in Ceylon as the Ceylon Government do not at present possess amendment Ceylon Government will have the power to order repatriation of illicit immigrants. As it is desirable, even from our point of view to put an end to such illicit imigration, we need not object to the amendment. It is desirable as suggested in para 5 of the Ceylon Government's letter that wide publicity is given to the proposed amendment in South India especially in the three districts mentioned above.

3. I may however add that an Immigrants and Emigrants Bill has been introduced in the Ceylon Parliament and when this comes into force, the Passport Ordinance would be repealed.

Copy of letter No.EA/1/36, dated the 29-9-48, from the Ministry of External Affairs, Colombo, to the Secretary Ministry of E.A.& C.R., New Delhi.

I have the honour to refer to my letter No.EA/1/36 dated the 30th July, 1948, on the subject of the proposed amendment to the Ceylon Passport Regulation, and to state that the amended regulation will be published in the Ceylon Government Gazette of Ist October, 1948, from which date it will be in operation.

(C.No.92851 H2) Home (H) Department.

Telegram dated 18th November 1948.

To

HYCOMIND COLOMBO.

92851 H - Reference your letter J 45/48 August sixteenth to Foreign New Delhi regarding amendments to Ceylon Passport regulations stop. Please telegraph urgently names of ports in Ceylon appointed to be ports under Ceylon customs ordinance.

Madras Home.

T E L E G R A M

MADRASHOME
MADRAS.

J 45/48 YOUR TELEGRAM 92851 SEPTEMBER EIGHTEENTH PORTS UNDER CEYLON CUSTOMS ORDINANCE ARE COLOMBO NEGOMBO BERUWALA GALLE HAMBANTOTA BATTICALOA TRINCOMALEE JAFFNA KANKESANTURAI POINT PEDRO KAYTS VALVETTITHURAI TALAIMANNAR MULLAITTIVU MANNAR KALPITIYA.

HICOMIND.

Not to be telegraped:

Sd/-

Second Secretary to the High Commissioner for India in Ceylon.

Post copy to the Secretary to the Government of Madras, Home Department, Madras
Copy for information to the Secretary to the Government of India, Ministry of E.A.& Commonwealth Relations, New Delhi.
Ref.F.11-2/48-PS-V)

Sd.....
Second Secretary to the High Commissioner for India in Ceylon

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Home Department (H).

Press Communique.No.26 dated 25-11-48

TRAVEL TO CEYLON

Under the passport regulations in force in Ceylon prior to 1-10-1948, permanent residents of India travelling to Ceylon from India were not required to be in possession of passports. Pending the enforement of the Immigrants and Emigrants Act which the Ceylon Government have recently enacted, that Government have in the office from 1-10-48 amended their passports regulations so as to permit the entry into Ceylon of permanent residents of India without passports only through authorised customs ports viz. Colombo, Negombo, Beruvala, Galled, Hambantota, Batticaloa, Trincomalee, Jaffna, Kankesanturai, Point Pedro, Kayts, Valvettithurai, Talaimannar, Mullaitivu, Mannar, Kalpitiya. Any permanent resident of Inia, therefore, who desires to proceed to Ceylon should either enter that country through any authorised port or provide himself with a valid passport if he intends to enter through any other port Entry into Ceylon through an unauthorised port without a passport is an offence under the Revised Passport Regulatio and the Ceylon Government have taken powers to repatriate any person found committing the offence.

P.T.O

GOVERNMENT OF MADRAS
PUBLIC WORKS (INFORMATION & PUBLICITY)
DEPARTMENT.
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Press Communique No.26 dated 25th November '48.

TRAVEL TO CEYLON.

Under the passport regulations in force in Ceylon prior to 1-10-1948, permanent residents of India Travelling to Ceylon from India were not required to be in possession of passports. Pending the enforcement of the Immigrants and Emigrants Act which have with the Ceylon Government have recently enacted, that Government have with effect from 1-10-48 amended their passport regulations so as to permit the entry into Ceylon of permanent residents of India without passports only through athorised customs ports, viz. Colombo, Negombo, Beruvala, Galle, Hambantota Batticaloa, Trinomalee, Jaffna, Kankesanthrai, Point pedro, Kayts, Valvettithrai, Talaimannar, Mullaitivu, Mannar , Kalpitiya. Any permanent resident of India, therefore, who desires to proceed to Ceylon should either enter that county through any authorised port or provide himself with a valid passport if he intends to enter through any other port. Entry into Ceylon under the revised Passport Regulations and the Ceylon Gever through an unauthorised port without a passport is an offence under the Revised Passport Regulations and the Ceylon Government have taken powers to repatriate any person found committing the offence.

ISSUED BY THE DIRECTOR OF INFORMATION AND
PUBLICITY (IN CHARGE)-

Memo No. 92851/H2/48-3 dated 27th November 1948.

sport.- Travel to Ceylon - Instruction
n the Government of India.

A copy of the Press Communique No.26 dated the 25th November 1948 regarding travel to Ceylon is forwarded to the Commissioner of Police, Madras and all District Magistrate for information and necessary action.

2. The District Magistrates of Tanjore, Tinnevelly and Ramnad are requested particularly to give wide publicity to the Press Communique in their Districts.

To

Sd.....
6-11-48.

The Commissioner of Police, Madras.
All District Magistrates.
Copy to the Superintendent of Police
Special Branch, CID (with 10 copies
of ~~Passport~~ Presspruit)

Draft II.

L.No.92851/H2/48-4 dated 27th November 1948.

(1) The Prime Minister of Travancore
Trivandrum.

(2) The Secretary to the Government of His Highness the Maharaja of Mysore, Education Department Bangalore.

(3) The Chief Secretary to the Government of Cochin Ernakulam.

(4) The Chief Civil Administrator for Hyderabad State, Hyderabad (Deccan)

Passport - Travel to Ceylon.

Sir,

I am directed to enclose a copy of the Press Communique No.26 dated the 25th November 1948, regarding travel to Ceylon, issued by this Government for information .

Sd.....
10-11-48.

Draft III

L.No.92851/H2/48-5 dated 27th November 1948.

To

The Secretary to the Government of India.
Ministry of External Affairs and Commonwealth Relations, New Delhi.

Sir,

Sub:-Passport - Ceylon Passport Regulations-
Publicity to-

P.T.O.

Ref: Your letter No.F 11-12/48-OSV, dated the 15th October 1948.

I am directed to enclose for the information of the Government of India a copy of Press Communique No.26 dated the 25th November 1948. The District Magistrates of Tanjore, Tinnevelly and Ramnad have been specially requested to give Wide publicity to the above communique.

2. Sd.....
10-11-48.

/True copy/

NOTE FILE

No.92851 H/48. HOME DEPARTMENT.(H)

Passport - Travel to Ceylon - Instructions from the Government of India.

From the Government of India, Ministry of External Affairs .. ..and Commonwealth Relations, No.F.11-2/48-OSV. dated 15-10-48.

.... Please see the letter on p.1 c.f. and the connected correspondence at pages 5-13 of c.f. Under the Passport regulations of Ceylon which were in force prior to 1-10-48, any permanent resident of India could enter Ceylon(through any port) without a passport. In order to prevent illicit immigration into Ceylon which is said to take place from South India, particularly from the districts of Tanjore, Tinnevelly and Ramnad, that Government have amended their passport regulations and taken power to deport to India immigrants to Ceylon who enter through unauthorised ports without passports. The Government of India have requested that the change may be given the necessary publicity. This may be done by means of a Press Communique.

2. Copies of the Communique may be sent to all D.Ms. and the Commissioner of Police and the D.Ms. of Tanjore, Tinnevelly and Ramnad may be requested particularly to give wide publicity to the Press Communique in their Dts.

There is no information here as to what ports in Ceylon are authorised Customs ports. This may be aseer ascertained from the Government of India.

4. Four drafts submitted. Draft I may be sent to P.W.(I & P.) Department for perusal before circulation.

Public Works (P&C) Deptt.

The draft press Communique placed below may be perused and the case returned to Home.

ubmitted for orders as to circulation.

Sd.....
10-4-48.

We must obtain and publicize information regarding authorized ports lest the public be put to avoidable inconvenience. Meanwhile for information.

Sd.....
H.M (Agriculture) for Hon'ble Premier.
13-11-48.

Sd.....
H.M.(P.W) 17-11-48

Submitted. Please see Secretary's note above. In view of the urgency of the case the names of Ports in Ceylon may be obtained direct from the High Commissioner for India in Ceylon. The Government of India are not likely to have the information ready with them.

A draft telegram is submitted for approval.

Sd.....
18-11-48.

Telegram to Hicomind, Colombo, No.92851 H: dated 18-11-1948.
From Hicomind, Colombo Telegram No.J.45/48 dated 20-11-1948

Submitted. The names of the ports have been included in the draft Press Communique below. Para 2 of the draft letter to the Government of India has been deleted. May be sent to Public Works Department for issue of the P.C and supply of 300 copies to this Department.

Sd.....
25-11-48.

P.W(S&P) Department.

The Press Communique has been issued. The file may be returned to Home Department.

Sd.....
25-11-48.

Home (H) Department.

Submitted. The drafts below may now issue.

Sd.....
27-11-48.

/True copy/

N.G.

Superintendent,
Madras Record Office